



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

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## ORDER OF BUSINESS

REGULAR MEETING  
CITY COUNCIL CHAMBER  
28TH SESSION  
WEDNESDAY, SEPTEMBER 7, 2016  
10 A.M.

### SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 10 a.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- b. By faxing to 768-3826 your name, phone number and subject matter;
- c. By filling out the registration form in person; or
- d. By calling 768-3825 or 768-3813.

Persons who have not registered to testify by 10 a.m. will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker shall not have anyone else read their statement and is limited to:

- a. three-minute presentation on Public Hearing, New Business and Sunshined items;
- b. one-minute presentation on all other items.

### WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

**The Council will recess from 12:30 p.m. to 1:30 p.m.**

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Accommodations are available upon request to persons with disabilities, please call 768-3825 or 768-3813 or send an email to [potto1@honolulu.gov](mailto:potto1@honolulu.gov) or [vchung@honolulu.gov](mailto:vchung@honolulu.gov) at least three working days prior to the meeting.

The Meeting is viewable by: (1) internet live streaming through <http://olelo.granicus.com/MediaPlayer.php?publishid=92>; (2) televised live broadcast on OIelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulu.gov/council/cclmeetings/ccl-archived-meetings-agendas.html>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

Honorary Certificates will be presented at 9 a.m.

ORDER OF BUSINESS  
Wednesday, September 7, 2016

**PLEDGE OF ALLEGIANCE**

**MESSAGE OF ALOHA**

**1. CALL TO ORDER – 10 A.M.**

Roll Call

Introduction of Guests

Approval of Minutes of the 27th Session

ORDER OF BUSINESS  
Wednesday, September 7, 2016

**2. ORDER OF THE DAY**

**REPORT OF INVESTIGATION OF HOMELESS PROGRAMS AND FACILITIES IN SEATTLE, WASHINGTON**

CC-195A

From Councilmembers Fukunaga, Kobayashi, and Menor, submitting a Report pursuant to Resolution 16-146, establishing a permitted interaction group of councilmembers to investigate homeless programs and facilities in Seattle, Washington.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

**PUBLIC HEARING/RESOLUTIONS**

Resolution 16-218

(Budget)

Relating to the appointment of Darren Y.T. Lee to serve on the Liquor Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 16-230

(Budget)

Relating to the reappointment of Joseph O'Donnell to serve on the Liquor Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 16-229

(Public Health, Safety and Welfare)

Relating to the reappointment of Jerald K. Dolak to serve on the Citizens Advisory Commission on Civil Defense of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS

Wednesday, September 7, 2016

Resolution 16-231

(Budget)

Relating to the appointment of Wesley F. Fong to serve on the Grants In Aid Advisory Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 16-232      (Executive Matters and Legal Affairs)

Relating to the reappointment of Michael A. Lilly to serve on the Ethics Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS  
Wednesday, September 7, 2016

**APPOINTMENTS – RESOLUTIONS**

PUBLIC WORKS, INFRASTRUCTURE & SUSTAINABILITY

CR-241

Resolution 16-176

Relating to the appointment of Kay C. Matsui to serve on the Board of Water Supply of the City and County of Honolulu.

ADOPTION

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PARKS, COMMUNITY AND CUSTOMER SERVICES

CR-246

Resolution 16-184

Relating to the appointment of Ann E. Asakura to serve on the Commission on Culture and the Arts of the City and County of Honolulu.

ADOPTION

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BUDGET

CR-264

Resolution 16-185

Relating to the appointment of Helen H. Hamada, to serve on the Grants in Aid Advisory Commission of the City and County of Honolulu.

ADOPTION

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

**PUBLIC HEARING/SECOND READING**

**EXECUTIVE MATTERS AND LEGAL AFFAIRS**

CR-250

Bill 37, CD1

Relating to the Executive Branch of the City. (Updating Chapter 2 of the Revised Ordinances of Honolulu 1990 to reflect changes in the names and functions of the executive branch of the city.)

PASS SECOND READING, AS AMENDED

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**BUDGET**

CR-262

Bill 46

Relating to attendant parking facilities. (Amending the city's attendant parking facilities by adding the Kapalama Hale parking facility and the rates.)

PASS SECOND READING

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

ZONING AND PLANNING

CR-276

Bill 44, CD1

Relating to flood hazard areas. (Amending the Flood Hazard Area Ordinance, Chapter 21A, Revised Ordinances of Honolulu 1990, to adopt language and construction standards required by the Federal Emergency Management Agency, establish fees for the processing and administering of Flood Hazard Area related permits, and clarify procedural requirements.)

PASS SECOND READING, AS AMENDED

CR-277

Bill 45

Relating to the Oahu Water Management Plan. (Amending a portion of the Oahu Water Management Plan, enacted by Ordinance No. 90-62 and codified as Chapter 30, Articles 1, 2, and 3, Revised Ordinances of Honolulu 1990, as amended, by adopting the North Shore Watershed Management Plan.)

PASS SECOND READING



ORDER OF BUSINESS  
Wednesday, September 7, 2016

**THIRD READING**

PUBLIC WORKS, INFRASTRUCTURE & SUSTAINABILITY

CR-240

Bill 41, CD1

Relating to the infrastructure. (Clarifying the applicability of State laws to vehicles and traffic upon private roads, highways, thoroughfares, bicycle paths, and parking stalls that have been continuously used by the general public or are intended for dedication to public use.)

PASS THIRD READING, AS AMENDED

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ZONING AND PLANNING

CR-275

Bill 28, CD1

Relating to public housing in Transit-Oriented Development Special Districts. (Amending the provisions of the Land Use Ordinance pertaining to Transit-Oriented Development Special Districts and Interim Planned Development-Transit permits.)

PASS THIRD READING, AS AMENDED

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Bill 28, CD1, Proposed FD1  
(Submitted by Councilmember Fukunaga)

ORDER OF BUSINESS  
Wednesday, September 7, 2016

**FIRST READING**

Bill 47 (Zoning and Planning)

Relating to the Housing Code. (Amending the Housing Code, ROH Chapter 27, to further protect the health, safety, and welfare of the general public.)

PASS FIRST READING

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Bill 48 (Zoning and Planning)

To rezone land situated at Moanalua, Oahu, Hawaii. (Rezoning land from the F-1 Military and Federal Preservation District to the R-5 Residential District.) (Applicant: Trinity Missionary Baptist Church)

PASS FIRST READING

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Bill 49 (Zoning and Planning)

To rezone land situated at Moanalua, Oahu, Hawaii. (Rezoning land from the F-1 Military and Federal Preservation District to the R-5 Residential District.) (Applicant: Holy Family Catholic Academy)

PASS FIRST READING

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ORDER OF BUSINESS

Wednesday, September 7, 2016

Bill 50

(Transportation)

Relating to the Traffic Code. (To reduce the incidence of what is commonly called “road rage” on streets and highways by prohibiting the behaviors that provoke or aggravate such incidents.)

PASS FIRST READING

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Bill 51

(Parks , Community and Customer Services)

Relating to exceptional trees. (Amending the register of exceptional trees.)

PASS FIRST READING

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Bill 52

(Zoning and Planning)

To rezone land situated at Moanalua, Oahu, Hawaii. (Rezoning land from the F-1 Military and Federal Preservation District to the R-5 Residential District.) (Applicant: Church of Christ at Pearl Harbor)

PASS FIRST READING

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ORDER OF BUSINESS

Wednesday, September 7, 2016

Bill 53

(Executive Matters and Legal Affairs)

Relating to intergovernmental and private grant agreements.  
(Making certain changes to the requirements for  
intergovernmental and private grant agreements.)

PASS FIRST READING

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Bill 54

(Budget)

Relating to collection and disposal charges. (Addressing  
recycling activities.)

PASS FIRST READING

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Bill 55

(Budget)

Relating to private transportation services and drivers.  
(Making amendments to Ordinance 16-25, relating to private  
transportation services and drivers.)

PASS FIRST READING

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ORDER OF BUSINESS

Wednesday, September 7, 2016

Bill 56

(Budget)

Relating to private transportation companies and drivers.  
(Establishing additional regulations governing private transportation companies and drivers, including regulations relating to the rates and charges of the companies.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

**RESOLUTIONS**

PUBLIC HEALTH, SAFETY AND WELFARE

CR-242

Resolution 16-182, CD1

Authorizing the Chief of Police of the Honolulu Police Department or the Chief's designee to enter into a private grant agreement with CrimeStoppers Honolulu, Inc., for the CrimeStoppers USA Training Conference in Albuquerque, New Mexico, from September 22 through 29, 2016.

FOR ADOPTION

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CR-243

Resolution 16-183

Relating to the acceptance of a gift to the City from the Honolulu Police Community Foundation for the Honolulu Police Department to receive monies to purchase 12 electric guns and related accessories.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

PUBLIC HEALTH, SAFETY AND WELFARE (Cont'd.)

CR-244

Resolution 16-189

Relating to the acceptance of a gift to the City and County of Honolulu from the Vested Interest in K9s, Inc., for ballistic/stab K9 vests for the Honolulu Police Department Specialized Services Division's Canine Unit.

FOR ADOPTION

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CR-245

Resolution 16-204

Relating to the acceptance of a gift to the City from the Honolulu Firefighters Foundation of 50 tickets for its 7<sup>th</sup> Annual Signature Chefs Food Festival on September 23, 2016.

FOR ADOPTION

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ORDER OF BUSINESS

Wednesday, September 7, 2016

PARKS, COMMUNITY AND CUSTOMER SERVICES

CR-247

Resolution 16-188

Relating to the acceptance of a gift to the City from Shinnyo-en Hawaii for Ala Moana Regional Park and McCoy Pavilion.

FOR ADOPTION

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CR-249

Resolution 16-201

Relating to the acceptance of a gift to the City from the Daniel K. Inouye Elementary School for used modular furniture to be used by the Department of Customer Services, Division of Motor Vehicle, Licensing and Permits.

FOR ADOPTION

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CR-248

Resolution 16-200, CD1

Urging the City Administration to work with local non-profits to establish a work program for the homeless.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-252

Resolution 16-186

Relating to the acceptance of a gift to the City for ground and air transportation, accommodations and meals during a trip to Taiwan.

FOR ADOPTION

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(CR-229 adopted 8/3/16)

Resolution 16-173

Providing for the acquisition of an easement for public use, to wit: Malua Drive Sewer Easements, situate at Alewa, Honolulu, Oahu, Hawaii, and determining and declaring the necessity of the acquisition thereof by eminent domain.

(Note: Laid over on 8/3/16 and published on 8/10/16.)

FOR ADOPTION

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CR-251

Resolution 16-164, CD1

Requesting the City Auditor to perform a comprehensive management and performance audit of the Honolulu Ethics Commission.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-253

Resolution 16-221

To retain the services of Chong, Nishimoto, Sia, Nakamura & Goya as special counsel to represent Defendants Honolulu Ethics Commission and the City and County of Honolulu in a legal action entitled Kealoha, et al. v. Totto, et al., CV16-1-1166-6 GWBC.

FOR ADOPTION

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CR-254

Resolution 16-222

To retain the services of Cox Fricke LLP as special counsel to represent Defendant Charles W. Totto in a legal action entitled Kealoha, et al. v. Totto, et al., Civil No. 16-1-1166-6 GWBC.

FOR ADOPTION

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CR-255

Resolution 16-223

To retain the services of Kobayashi, Sugita & Goda as special counsel to represent Defendant Letha A.S. Decaires in a legal action entitled Kealoha, et al. v. Totto, et al., CV16-1-1166-6 GWBC.

FOR ADOPTION

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ORDER OF BUSINESS

Wednesday, September 7, 2016

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-256

Resolution 16-224

To retain the services of Jeffery A. Hawk as special deputy corporation counsel to represent Refuse Driver Denise Kekumu in a legal action entitled Keith S. Kato, Individually and as Personal Representative of the Estate of Barbara N. Kato and Kevin Y. Kato v. City and County of Honolulu, Civil No. 15-1-0185-02 VLC.

FOR ADOPTION

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CR-257

Resolution 16-225

To retain the services of Jeffrey A. Hawk as special deputy corporation counsel to represent Officer Shawn Cavaco in a legal action entitled Randy Rivera v. City and County of Honolulu, et al., CV15-00360 LEK-KSC.

FOR ADOPTION

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CR-258

Resolution 16-226

To retain the services of the Law Office of David Hayakawa as special deputy corporation counsel to represent Refuse Driver Lunue Bethea in a legal action entitled Russell H. Ando, Individually and as Personal Representative of the Estate of Pauline Ando and Marshall H. Ando v. City and County of Honolulu, Civil No. 15-1-0134-01 KKS.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-259

Resolution 16-227

To retain the services of the Law Office of David Hayakawa as special deputy corporation counsel to represent Officer Ming Wang in a legal action entitled Jamie Kalani Rice v. City and County of Honolulu, et al., CV15-00541 ACK-KSC.

FOR ADOPTION

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CR-260

Resolution 16-228

To retain the services of a private attorney as special deputy corporation counsel to represent the City and County of Honolulu under a Cooperative Purchasing Agreement with the County of Maui in representing the Public Employer in the Collective Bargaining Interest Arbitration with the Hawaii Fire Fighters Association, IAFF, Local 1462, AFL-CIO, Bargaining Unit 11.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

BUDGET

CR-268

Resolution 16-205

Relating to the acceptance of a gift to the City from the Gulick Flowers Wholesale at the Honolulu Zoo with a value of \$3,000.

FOR ADOPTION

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CR-269

Resolution 16-206, CD1

Relating to the acceptance of an anonymously donated gift to the City for the Honolulu Zoo.

FOR ADOPTION

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CR-270

Resolution 16-207, CD1

Relating to the acceptance of an anonymously donated gift to the City for the Honolulu Zoo.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

BUDGET (Cont'd.)

CR-274

Resolution 16-216, CD1

Relating to the acceptance of a gift to the City from the Hawaii Water Environment Association for the Department of Environmental Services to attend the Water Environment Federation Technical Exhibition and Conference from September 23, 2016 to September 28, 2016.

FOR ADOPTION

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Resolution 16-216, CD1, Proposed FD1  
(Submitted by Councilmember Kobayashi)

CR-263

Resolution 16-169, CD1

Establishing a Council policy to suspend Council approvals for acquisition of real property by the Honolulu Authority for Rapid Transportation for Honolulu's Rail Project pending the Federal Transit Administration's approval of a Recovery Plan.

FOR ADOPTION

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Resolution 16-169, CD1, Proposed FD1  
(Submitted by Councilmember Kobayashi)

Establishing a Council policy to suspend Council approvals for certain acquisitions of real property by the Honolulu Authority for Rapid Transportation for Honolulu's Rail Project pending the Federal Transit Administration's approval of a Recovery Plan.

ORDER OF BUSINESS  
Wednesday, September 7, 2016

BUDGET (Cont'd.)

CR-265

Resolution 16-194

Approving the abandonment and sale of Remnant Parcel 1, area 1,000 square feet, portion of Queen Street, Kakaako, abutting TMK: 2-1-050:034.

FOR ADOPTION

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CR-266

Resolution 16-199

Amending Resolution 15-116, CD1, to extend the deadline for the Department of Enterprise Services to submit a report of the findings and recommendations of the Honolulu Zoo Working Group.

FOR ADOPTION

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CR-271

Resolution 16-210

Approving the abandonment and sale of Lot 2-B and granting of Easements E-1 and E-2 abutting 219 Forest Ridge Way (TMK: 2-5-015:013), Honolulu, Oahu, Hawaii.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

BUDGET (Cont'd.)

CR-272

Resolution 16-211, CD1

Relating to the Executive Operating Budget and Program for Fiscal Year 2017, Ordinance No. 16-14, Section 10, Miscellaneous Provision for Grants, Partnerships and Security, and the transfer of funds to the Department of Emergency Management for the Oahu Coastal Communities Evacuation Planning Project – Phase II.

FOR ADOPTION

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CR-273

Resolution 16-214

Authorizing the Director of Budget and Fiscal Services to issue and sell in one or more series not to exceed \$850,000,000 principal amount of General Obligation Bonds of the City and County of Honolulu.

FOR ADOPTION

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ORDER OF BUSINESS

Wednesday, September 7, 2016

ZONING AND PLANNING

CR-278

Resolution 16-159, CD1

Authorizing the Director of the Department of Planning and Permitting or the Director's designee to apply for and accept Federal Highway Administration funds authorized by Title 23 Code of Federal regulations Part 652 and other Federal statutes administered by the Federal Highway Administration for a Transit-Oriented Development Wayfinding Master Plan.

FOR ADOPTION

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CR-279

Resolution 16-172, CD1

Approving a conceptual plan for an Interim Planned Development-Transit project for the development of the Manaolana Place Hotel and Residential Condominium Development Project. (Applicant: Manaolana Partners, LLC) (Deadline: 12/3/16)

FOR ADOPTION

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ORDER OF BUSINESS

Wednesday, September 7, 2016

ZONING AND PLANNING (Cont'd.)

CR-280

Resolution 16-203, CD1

Granting a Special Management Area Use Permit for the grading, reconstruction, and expansion of the existing athletic field, as well as the construction of new bleachers, walkways, drainage improvements, an irrigation system, retaining walls, and other appurtenant site improvements at Kalaheo High School. (Applicant: State Department of Education) (Deadline: 10/7/16)

FOR ADOPTION

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CR-281

Resolution 16-208

Urging the City and State Administrations to find solutions to allow consistent cleanup and enforcement operations for the sidewalks and other pedestrian facilities of Ala Moana Boulevard near its intersection with Atkinson Drive.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, September 7, 2016

TRANSPORTATION

CR-282

Resolution 16-198

Urging the Department of Transportation Services to consider removing the afternoon peak traffic hours contraflow lane on Kapiolani Boulevard and explore alternate options to deal with congestion on this important arterial roadway.

FOR ADOPTION

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CR-283

Resolution 16-212

Urging the City Administration to replace all City-operated coin-only parking meters with smart parking meters.

FOR ADOPTION

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Resolution 16-212, Proposed FD1  
(Submitted by Councilmember Ozawa)

ORDER OF BUSINESS  
Wednesday, September 7, 2016

**3. BALANCE OF COMMITTEE REPORTS**

EMLACR-261

To request authorization to settle a case against the City and County of Honolulu entitled Mathew Turull v. City and County of Honolulu, et al., Civil No. 14-1-2402-11 ECN.

FOR ADOPTION

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**4. UNFINISHED BUSINESS**

**5. NEW BUSINESS**

Resolution 16-220

Relating to the acceptance of a gift to the City from Kick Start Karate for six members of the Honolulu Police Department to attend the 14th Annual Taste of Kick Start fund-raiser on September 4, 2016.

FOR ACTION

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ORDER OF BUSINESS

Wednesday, September 7, 2016

Resolution 16-237

Relating to the inclusion in the 2017 Hawaii State Association of Counties legislative package of a proposal that would mandate the State Department of Health to adopt and implement administrative rules to enforce residential and commercial noise standards.

FOR ACTION

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Resolution 16-239

Relating to the inclusion in the 2017 Hawaii State Association of Counties legislative package of a proposal that would regulate operators of unmanned aircraft systems.

FOR ACTION

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Resolution 16-240

Approving the grant of Easement 1-A to D'Ascoli Building Chinatown, LLC within a portion of the loading dock of the City's Marin Tower property, TMK: 1-7-002-004.

FOR ACTION

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## ORDER OF BUSINESS

Wednesday, September 7, 2016

### **6. COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

Pursuant to Council Rule 12A and the Hawaii Revised Statutes Section 92-4 and Section 92-5(a)(4), the Council will resolve itself into a Committee of the Whole to consult with its attorneys in executive session on questions and issues on matters pertaining to the Council's powers, duties, privileges, immunities and/or liabilities, and may resolve itself into a Committee of the Whole to consult with its attorneys on other claims and matters pertaining to the Council's powers, duties, privileges, immunities and/or liabilities.

### **7. ANNOUNCEMENTS**

### **8. ADJOURNMENT**